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## OLR Bill Analysis

**sSB 489 (File 616, as amended by Senate "A")\***

### ***AN ACT CONCERNING THE UNLAWFUL DISSEMINATION OF AN INTIMATE IMAGE OF ANOTHER PERSON.***

#### **SUMMARY:**

This bill creates a new crime to punish someone who:

1. electronically disseminates certain photos, film, videos, or other recorded images of a person without consent and
2. does so intending to harass, annoy, alarm, or terrorize the person.

Under the bill, the disseminated image must be of the (1) other person engaged in sexual intercourse or (2) other person's genitals, pubic area, buttocks, or, if a female, breast with less than a fully opaque covering of any portion below the top of the nipple. But the bill does not apply to an image if the person (1) voluntarily exposed himself or herself in a public or commercial setting or (2) is not clearly identifiable.

The bill makes this conduct a class A misdemeanor, punishable by up to one year in prison, a fine of up to \$2,000, or both.

The bill specifies that it does not impose liability on certain service providers for content provided by another. This applies to anyone who provides:

1. an interactive computer service, which is an information service, system, or access software enabling computer access by multiple users to a computer server, such as an Internet access system or a system operated by a library or educational institution;
2. an information service, which generally offers capability to

generate, acquire, store, transform, process, retrieve, use, or make available information by telecommunications, such as electronic publishing; or

3. a telecommunication service, which is generally an electromagnetic transmission (such as through fiber optics or satellite) of information chosen by the user between points chosen by the user, without any change in the information's form or content.

\*Senate Amendment "A" adds the provision regarding interactive computer, information, and telecommunication services.

EFFECTIVE DATE: October 1, 2014

#### **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 39 Nay 1 (04/02/2014)